

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BERNARD SHERO, et al.,	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO. 24-CV-6073
	:	
DANIEL PATRICK	:	
GALLAGHER, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 15th day of January, 2025, upon consideration of Plaintiff Bernard Shero's Motion to Proceed *In Forma Pauperis* (ECF No. 1), *pro se* Complaint (ECF No. 2), and Motion to Appoint Counsel (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED** for the reasons in the Court's Memorandum, as follows:
 - a. Shero's federal claims under 42 U.S.C. § 1983 and state-law claim for intentional infliction of emotional distress are **DISMISSED WITH PREJUDICE**;
 - b. Shero's claim for loss of consortium is **DISMISSED WITHOUT PREJUDICE**.
4. Leave to amend will not be granted, as the Court concludes that amendment would be futile.
5. The Motion to Appoint Counsel is **DENIED**.

6. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

A handwritten signature in black ink, appearing to read "MIA R. PEREZ".

MIA R. PEREZ, J.